

AMENDED IN SENATE JUNE 30, 2015

AMENDED IN SENATE JUNE 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 653

Introduced by Assembly Member Levine

February 24, 2015

An act to amend ~~Sections~~ *Section* 81641 and 81644 of, and to add Section 81646 to, the Education Code, and to add Section 20653.5 to the Public Contract Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 653, as amended, Levine. Postsecondary education: community college contracting practices.

(1) Existing law establishes the California State University, the University of California, and the California Community Colleges as the 3 segments of public postsecondary education in this state.

Existing law requires the governing board of a community college district to publish a notice calling for bids or proposals in a newspaper of general circulation. Existing law requires this notice to state the work proposed to be done or the materials or supplies to be furnished and the time when, and the place where, bids or proposals will be opened.

This bill would *also* authorize the governing board of a community college district to ~~alternatively~~ post the notice described above on its Internet Web site or its bidding platform, as defined. *site or through an electronic portal.*

(2) ~~Existing law provides that continuing contracts for work to be done or services to be performed for, or for apparatus or equipment to be furnished, sold, built, installed, or repaired for, a community college~~

district, may be made for a period not to exceed 5 years, and that contracts for materials and supplies to be furnished or sold to a district may be made for a period not to exceed 3 years.

This bill would provide that the contracts for work, services, apparatus or equipment, and materials and supplies for a community college district, as referenced above, may be made for a period not to exceed 7 years.

(3)

(2) Existing law declares that nothing in the Public Contract Code precludes the governing board of a community college district from purchasing materials, equipment, or supplies through the Department of General Services pursuant to a specified statute. *Services, as specified.*

This bill would declare that nothing in either the Education Code or the Public Contract Code would preclude a community college district from purchasing materials, equipment, supplies, or services under the same terms and conditions as are specified in a contract lawfully awarded by the University of California or the California State University.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 81641 of the Education Code is amended
2 to read:
3 81641. (a) For the purpose of securing bids or proposals, the
4 governing board of the community college district shall ~~post on~~
5 ~~its Internet Web site or bidding platform,~~ or publish at least once
6 a week for two weeks in some newspaper of general circulation
7 published in the district, or if there is no such paper, then in some
8 newspaper of general circulation, circulated in the county, *and*
9 *may post on the district's Web site or through an electronic portal,*
10 a notice calling for bids or proposals, stating the work to be done
11 or materials or supplies to be furnished and the time when and the
12 place where bids or proposals will be opened. Whether or not bids
13 or proposals are opened exactly at the time fixed in the public
14 notice for opening bids or proposals, a bid or proposal shall not
15 be received after that time.

1 ~~(b) As used in this section, a “bidding platform” is an online~~
2 ~~environment that allows users to bid for the provision of goods or~~
3 ~~services.~~

4 ~~SEC. 2. Section 81644 of the Education Code is amended to~~
5 ~~read:~~

6 ~~81644. Continuing contracts for work to be done, services to~~
7 ~~be performed, or for apparatus or equipment to be furnished, sold,~~
8 ~~built, installed, or repaired for the district, or for materials or~~
9 ~~supplies to be furnished or sold to the district, may be made with~~
10 ~~an accepted vendor for a period not to exceed seven years.~~

11 ~~SEC. 3.~~

12 ~~SEC. 2. Section 81646 is added to the Education Code, to read:~~

13 ~~81646. Nothing in this code shall preclude the governing board~~
14 ~~of a community college district from purchasing materials,~~
15 ~~equipment, supplies, or services under the same terms and~~
16 ~~conditions as are specified in a contract lawfully awarded by the~~
17 ~~University of California or the California State University.~~

18 ~~SEC. 4.~~

19 ~~SEC. 3. Section 20653.5 is added to the Public Contract Code,~~
20 ~~to read:~~

21 ~~20653.5. Nothing in this code shall preclude the governing~~
22 ~~board of a community college district from purchasing materials,~~
23 ~~equipment, supplies, or services under the same terms and~~
24 ~~conditions as are specified in a contract lawfully awarded by the~~
25 ~~University of California or the California State University.~~